

9 FAM PART IV Appendix K, 400 PROCEDURES

(TL:VISA-276; 05-09-2001)

9 FAM 401 Use Local Form(s)

(TL-VISA-276; 05-09-2001)

a. Referrals should be transmitted from the responsible Embassy chief of section or U.S. Government Agency head, to the chief of the consular or visa section, using a standard locally produced form or forms. Posts may use any of the suggested sample forms attached to this appendix as exhibits. *9 FAM PART IV Appendix K*, Exhibit I is designed for use when the referring officer is convinced the referral meets all requirements; *9 FAM PART IV Appendix K*, Exhibit II is designed for those occasions (which should be rare) when the referrer is unable (for legitimate reasons) to refuse to refer an individual. *9 FAM PART IV Appendix K*, Exhibit III is for feedback to the referring officer when either the referral itself must be rejected or the applicant must be refused. If a post develops any different form (or forms) for its referral system, it must submit such form(s) to the department for approval in accordance with *9 FAM PART IV Appendix G*, 301 Forms. The department suggests that referral forms be printed on 9"x5" paper for ease of filing with Form OF-156.

b. The form should state clearly the U.S. Government interest in the referral, the degree of personal knowledge of the referring officer about the applicant, the purpose of the trip, and identifying data about the referrer and referee.

9 FAM 402 Senior Consular Officer Responsibility

(TL-VISA-119; 7-3-95)

The senior consular officer(s) at each post should be responsible for the adjudication of visa referral cases. All visa referrals requesting a waiver of an interview must be adjudicated by a supervisory consular officer. This will emphasize the importance which the Department and Chief of Mission place on this key consular function, as well as ensure the highest standards of adjudication and consistency in those adjudications. Senior consular management must also be prepared to take responsibility when referrals must be refused for any reason.

9 FAM 403 Log Book

(TL-VISA-119; 7-3-95)

Consular sections should establish a log book or a comparable system to keep track of all incoming referrals.

9 FAM 404 Maintaining File Copies

(TL-VISA-162; 2-24-97)

Copies of all visa referrals should be filed with the approved or refused visa application. A monitoring system should be established at each post, using MRV or other data-processing systems, if available, or a simple log book or index cards, to keep track of statistics, patterns, trends, and possible abuses of the referral system. The system should reflect the names of those referred, by whom, and any follow-up from Form I-275's, G-325's, and other monitoring of return rates.

9 FAM 405 Feedback

(TL-VISA-162; 2-24-97)

There must be a feedback system to the referring officer, especially if there is a high refusal rate, or high mala fide rate among referred applicants. Feedback at the time of application may take the form of a memo to referring officers that their referral is not acceptable, or is disapproved. [See 9 FAM PART IV Appendix K, Exhibit III]. Referring officers should also be informed whenever their applicants violate their visa status. The Chief of Mission or DCM should be informed in writing of any instances in which a single agency of office is responsible for referring significant numbers of mala fide or unqualified applicants.

9 FAM 406 Verification

(TL-VISA-119; 7-3-95)

Adjudicating officers, especially at large missions, should periodically check directly with referring officers to verify referrals and signatures.